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10/000,427	11/30/2001	Masahiro Okada	01-730	9209

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EXAMINER	
MOORTHY, ARAVIND K	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/000,427	OKADA ET AL.	
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,9-12,14-18,20 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7,9-12,14-18,20 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the RCE filed on 24 March 2008.

2. Claims 1-5, 7, 9-12, 14-18, 20 and 22 are pending in the application.

3. Claims 1-5, 7, 9-12, 14-18, 20 and 22 have been rejected.

4. Claims 6, 8, 13, 19, 21 and 23 have been cancelled.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 March 2008 has been entered.

Response to Arguments

6. Applicant's arguments with respect to claims 1-5, 7, 9-12, 14-18, 20 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

7. Claim 1 is objected to because of the following informalities: misspelling. The applicant has misspelled "limiting" as "limting". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-5, 9-12, 18 and 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hasebe et al U.S. Patent No. 5,761,651 (hereinafter Hasebe) in view of Maruyama et al U.S. Patent No. 6,558,259 B1 (hereinafter Maruyama).

As to claim 1, Hasebe discloses a license managing system including a game apparatus to be licensed and a managing apparatus, the managing apparatus comprising:

inputting means [column 5 line 66 to column 6 line 7];

encrypting means for encrypting information inputted from the inputting means to produce encrypted information [column 5 line 66 to column 6 line 7]; and

outputting means for outputting the encrypted information,

wherein the encrypting means encrypts at least identification information of the game apparatus to be licensed and license condition information thereof to produce the encrypted information [column 5 line 66 to column 6 line 7],

the game apparatus [column 1, lines 16-20] comprising:

inputting means for inputting the outputted encrypted information [column 6, lines 8-37];

encryption decoding means for decoding the inputted encrypted information [column 10 line 45 to column 12 line 60];

controlling means for controlling execution of a game program [column 6, lines 8-37];

storing means for storing identification information of the game apparatus [column 6, lines 8-37];

storing means for storing internal information [column 6, lines 8-37]; and

real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

wherein the encryption decoding means decodes the encrypted identification information of the game apparatus, the encrypted license condition information, and the controlling means permits execution of the game program when the decoded identification information of the game apparatus and the stored identification information of the game apparatus are in a predetermined relationship, and the decoded license condition information and the stored internal information are in a predetermined relationship [column 6, lines 8-37],

wherein the controlling means request an input of date and time information when the game apparatus is started, compare the

inputted time and date information with the date and time information of the real time clock means, and execute subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37];

wherein the license condition information includes operation limiting information of the game apparatus [column 8 line 66 to column 9 line 3].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 2, Hasebe discloses a game apparatus comprising:

inputting means for inputting encrypted information [column 6, lines 8-37];

encryption decoding means for decoding the inputted encrypted information [column 6, lines 8-37];

controlling means for controlling execution of a game program [column 6, lines 8-37];

storing means for storing identification information of the game apparatus [column 6, lines 8-37]; and

calendar means [column 6, lines 8-37]; and

real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

wherein the encryption decoding means decodes encrypted identification information of the game apparatus, license period information of the game apparatus and operation limiting information of the game apparatus, and the controlling means permits execution of the game program when the decoded identification information of the game apparatus and the stored identification information of the game apparatus are in a predetermined relationship, and the decoded license period information and date information supplied from the calendar means are in a predetermined relationship [column 6, lines 8-37], and

wherein the controlling means request an input of date and time information when the game apparatus is started, compare the inputted time and date information with the date and time information with date and time information of the real time clock means, and execute subsequent process if the in putted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

wherein the controlling means prohibits execution of the game program when a working state of the game apparatus falls outside of a range of an operation limit specified by the operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 3, Hasebe teaches that the controlling means prohibits execution of the game program when the decoded license period information and the date information supplied from the calendar means fall outside of the predetermined relationship after permitting execution of the game program [column 6, lines 8-37].

As to claim 4, Hasebe teaches the game apparatus further comprising information outputting means [column 7, lines 27-34]. Hasebe teaches that the controlling means calculates, after permitting execution of the game program, a remaining period of a license period from a license period ending time indicated in the decoded license period information and the date information supplied from the calendar means, and outputs a predetermined warning to the information outputting means when the remaining period becomes less than a predetermined period [column 7, lines 27-34].

As to claims 5 and 9, Hasebe discloses a game apparatus comprising:

inputting means for inputting encrypted information [column 6, lines 8-37];

encryption decoding means for decoding the inputted encrypted information [column 6, lines 8-37];

controlling means for controlling execution of a game program [column 6, lines 8-37];

first storing means for storing identification information of the game apparatus [column 6, lines 8-37]; and

second storing means for storing a working state of the game apparatus [column 6, lines 8-37]; and

real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

wherein the encryption decoding means decodes encrypted identification information of the game apparatus and operation limiting information of the game apparatus, and the controlling means permits execution of the game program when the decoded identification information of the game apparatus and the stored identification information of the game apparatus are in a predetermined relationship, while the controlling means prohibits execution of the game program when the working state of the game apparatus falls outside of a range of an operation limit specified by the decoded operation limiting information [column 6, lines 8-37], and

wherein the controlling means request an input of date and time information when the game apparatus is started, compare the inputted time and date information with the date and time information of the real time clock means, and execute subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 10, Hasebe discloses a working state managing system including a game apparatus to be managed and a managing apparatus, the game apparatus comprising:

storing means for storing identification information of the game apparatus [column 6, lines 8-37];

storing means for storing working state information of the game apparatus [column 6, lines 8-37];

encrypting means for encrypting the identification information and the working state information [column 6, lines 8-37];

information outputting means [column 6, lines 8-37]; and

controlling means for causing the encrypting means, according to a predetermined operation, to encrypt the working state information and to output

the encrypted working state information in a visible form from the information outputting means [column 6, lines 8-37]; and

real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

the managing apparatus comprising:

inputting means for inputting the encrypted identification information and the encrypted working state information [column 10 line 45 to column 12 line 60];

encryption decoding means for decoding the encrypted identification information, the encrypted working state information and operation limiting information [column 6, lines 8-37];

outputting means [column 6, lines 8-37]; and

controlling means [column 6, lines 8-37],

wherein when the encrypted identification information and the encrypted working state information are inputted from the inputting means, the controlling means causes the encryption decoding means to decode the information and, according to a request, to output the decoded identification information and the decoded working state information in a visible form from the outputting means [column 6, lines 8-37], and

wherein the controlling means request an input of date and time information when the game apparatus is started, compare the

inputted time and date information with the date and time information of the real time clock means, and execute subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

the controlling means of the game apparatus further comprising means for controlling execution of a game program [column 8 line 66 to column 9 line 3],

wherein the controlling means prohibits execution of the game program when the working state information falls outside of a range of an operation limit specified by the operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the

gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 11, Hasebe discloses a game apparatus comprising:

working state storing means for storing working state information [column 6, lines 8-37];

encrypting means for encrypting the stored working state information [column 6, lines 8-37];

information outputting means [column 6, lines 8-37]; and

controlling means for causing the encrypting means, according to a predetermined operation, to encrypt the working state information and to output the encrypted working state information in a visible form from the information outputting means [column 6, lines 8-37]; and

real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

wherein the controlling means request an input of date and time information when the game apparatus is started, compare the inputted time and date information with the date and time information of the real time clock means, and execute subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

> wherein the controlling means prohibits execution of game program when the working state information falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 12, Hasebe teaches the game apparatus further comprising storing means for storing identification information of the game apparatus [column 6, lines 8-37]. Hasebe teaches that the encrypting means encrypts the working state information and the identification information [column 6, lines 8-37]. Hasebe teaches the controlling means outputs the encrypted working state information and the encrypted identification information in a visible form from the information outputting means [column 6, lines 8-37].

As to claim 18, Hasebe discloses an information presenting method comprising processing for obtaining identification information of a game apparatus, processing for obtaining working state information of the game apparatus wherein the game apparatus comprising real time clock means for counting time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37], processing for encrypting the identification information and the working state information [column 6, lines 8-37], and processing for outputting the encrypted information in a visible form, as discussed above, and processing for requesting an input of date and time information when the game apparatus is started [column 6, lines 8-37], comparing the inputted time and date information with the date and time information of the real time clock means [column 6, lines 8-37], and executing subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37].

As to claim 22, Hasebe discloses a computer program for causing a computer to operate as a game apparatus, wherein the game apparatus comprising real time clock means for counting time in accordance with preset date and time information and outputting date and time information, the computer program causing the computer to execute the steps of:

obtaining an identification number of the game apparatus [column 6, lines 8-37];

obtaining working state information of the game apparatus [column 6, lines 8-37];

encrypting the obtained identification number and the obtained working state information [column 6, lines 8-37];

outputting the encrypted information in a visible form [column 6, lines 8-37]; and

requesting an input of date and time information when the game apparatus is started, comparing the inputted time and date information with the date and time information of the real time clock means, and executing subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

prohibiting execution of game program of the game apparatus when the working state of information falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that game would have terminated when a play time reached a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Maruyama because it allows the

gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

9. Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasebe U.S. Patent No. 5,761,651 as applied to claim 5 above, and further in view of Yoshioka et al US 2005/0071272 A1 (hereinafter Yoshioka).

As to claim 7, Hasebe does not teach that the operation limiting information represents an upper limit of sales of the game apparatus. Hasebe does not teach that the controlling means deducts, after permitting execution of the game program, current sales of the game apparatus from the upper limit of sales, and outputs a predetermined warning to the information outputting means when an amount after deduction becomes smaller than a predetermined amount.

Yoshioka teaches limiting information that represents an upper limit of sales of the game apparatus [0030]. Yoshioka teaches controlling means that deducts, after permitting execution of the game program, current sales of the game apparatus from the upper limit of sales, and outputs a predetermined warning to the information outputting means when an amount after deduction becomes smaller than a predetermined amount [0030].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that there would have been limiting information that represented an upper limit of sales of the game apparatus. The controlling means would have deducted, after permitting execution of the game program, current sales of the game apparatus from the upper limit of sales, and outputted a predetermined warning to the information outputting means when an amount after deduction becomes smaller than a predetermined amount.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Yoshioka because it provides a method where the contents are sold with a predetermined limit of a sales period as in the case of weekly and monthly magazines or seasoning goods, where the sales of the unpopular contents are discontinued, and where the sales of old version are terminated due to a version-up of the program [0007].

10. Claims 14-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasebe U.S. Patent No. 5,761,651 in view of Hirotani U.S. Patent No. 5,982,887 and Maruyama U.S. Patent No. 6,558,259 B1.

As to claim 14, Hasebe discloses a license managing method for a game apparatus,

counting time using a real time clock in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37],

making a determination whether or not the decoded identification information and prestored identification information of the game apparatus are in a predetermined relationship [column 6, lines 8-37],

making a second determination whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship,

executing of a game program of the game apparatus when the determination results of the first and second determination processing are both affirmative [column 6, lines 8-37],

requesting an input of date and time information when the game apparatus is started,

comparing the inputted time and date information with the date and time information of the real time clock means, and

executing subsequent processing if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

prohibiting execution of game program of the game apparatus when a working state of the game apparatus falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that a password represents encrypted identification information of the game apparatus to be licensed. Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Hirotani teaches using a password that represents encrypted identification information [figure 5 and accompanying description].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that a password would have represented encrypted identification information of the game apparatus to be licensed and encrypted license condition information thereof was transmitted to a licensee. The licensee would have inputed the password into the game apparatus to be licensed. The game apparatus to

be licensed would have executed processing for decoding the inputted password. There would have been first determination processing for determining whether or not the decoded identification information and prestored identification information of the game apparatus are in a predetermined relationship. There would have been second determination processing for determining whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship, and starts execution of a game program when determination results of the first and second determination processing are both affirmative. The gaming machine for a game would have been terminated when a play time reaches a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Hirotani because the serial number as the specific data of the computer and the password obtained from the serial number are necessary to execute a software. It is inhibited that the software is executed by a hardware other than that which is registered at the time of purchase of the software. The illegal copy of the software can be prevented in a simple hardware. Since the comparison program including the predetermined program calculating the password is decrypted, the password is never calculate even if the serial number is known [column 8, lines 30-39]. Maruyama allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 15, Hasebe discloses a method for controlling a game apparatus, counting using a real time clock time in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37]. Hasebe discloses making a first determination

whether or not the decoded identification information and identification information stored in the game apparatus are in a predetermined relationship [column 6, lines 8-37]. Hasebe discloses making a second determination whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship [column 6, lines 8-37]. Hasebe discloses executing a game program of the game apparatus when determination results of the first and second determination processing are both affirmative [column 6, lines 8-37], requesting an input of date and time information when the game apparatus is started, compare the inputted time and date information with the date and time information of the real time clock means, and executing subsequent processing if the inputted time and date information is included within a given time difference range with respect to the date and time information counted using the real time clock [column 6, lines 8-37]. Hasebe discloses prohibiting execution of game program of the game appartus when a working state of the game apparatus falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that a password represents encrypted identification information of the game apparatus to be licensed. Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Hirotani teaches using a password that represents encrypted identification information [figure 5 and accompanying description].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that a password would have represented encrypted identification information of the game apparatus to be licensed and encrypted license condition information thereof was transmitted to a licensee. The licensee would have inputed the password into the game apparatus to be licensed. The game apparatus to be licensed would have executed processing for decoding the inputted password. There would have been first determination processing for determining whether or not the decoded identification information and prestored identification information of the game apparatus are in a predetermined relationship. There would have been second determination processing for determining whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship, and starts execution of a game program when determination results of the first and second determination processing are both affirmative. The gaming machine for a game would have been terminated when a play time reaches a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Hirotani because the serial number as the specific data of the computer and the password obtained from the serial number are necessary to execute a software. It is inhibited that the software is executed by a hardware other than that which is registered at the time of purchase of the software. The illegal copy of the software can be prevented in a simple hardware. Since the comparison program including the predetermined program calculating the password is decrypted, the password is never calculate even if the serial number is known [column 8, lines 30-39]. Maruyama allows the gaming

machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 16, Hasebe teaches that execution of the game program is prohibited when the determination result of the second determination processing becomes negative after execution of the program is permitted [column 9, lines 4-21].

As to claim 17, Hasebe discloses a method for grasping a working state of a game apparatus, wherein the game apparatus comprising real time clock means for counting time in accordance with preset date and time information and outputting date and time information, the method comprising:

counting time using a real time clock in accordance with preset date and time information and outputting date and time information [column 6, lines 8-37];

causing the game apparatus to request and input of date and time information when the game apparatus is started, to compare the inputted time and date information with the date and time information of the real time clock means, and to execute subsequent process if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

causing the game apparatus to prohibit execution of game program when the working state information falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3],

Hasebe does not teach that a password represents encrypted identification information of the game apparatus to be licensed. Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Hirotani teaches using a password that represents encrypted identification information [figure 5 and accompanying description].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that a password would have represented encrypted identification information of the game apparatus to be licensed and encrypted license condition information thereof was transmitted to a licensee. The licensee would have inputed the password into the game apparatus to be licensed. The game apparatus to be licensed would have executed processing for decoding the inputted password. There would have been first determination processing for determining whether or not the decoded identification information and prestored identification information of the game apparatus are in a predetermined relationship. There would have been second determination processing for determining whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship, and starts execution of a game program when determination results of the first and second determination processing are both affirmative. The gaming machine for a game would have been terminated when a play time reaches a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Hirotani because the serial number as the specific data of the computer and the password obtained from the serial number are necessary to execute a software. It is inhibited that the software is executed by a hardware other than that which is registered at the time of purchase of the software. The illegal copy of the software can be prevented in a simple hardware. Since the comparison program including the predetermined program calculating the password is decrypted, the password is never calculate even if the serial number is known [column 8, lines 30-39]. Maruyama allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

As to claim 20, Hasebe discloses a computer program for causing a computer to operate as a game apparatus, wherein the game apparatus comprising real time clock means for counting time in accordance with preset date and time information and outputting date and time information, the computer program causing the computer to execute the steps of:

> permitting execution of a game program when the decoded identification information of the game apparatus and prestored identification information of the game apparatus are in a predetermined relationship and the decoded license condition information of the game apparatus and internal information of the game apparatus are in a predetermined relationship [column 6, lines 8-37]; and
>
> requesting an input of date and time information when the game apparatus is started, comparing the inputted time and date information with the date and time information of the real time clock means, and executing subsequent process

if the inputted time and date information is included within a given time difference range with respect to the date and time information of the real time clock means [column 6, lines 8-37],

prohibiting execution of the game program when a working state of the game apparatus falls outside of a range of an operation limit specified by operation limiting information [column 8 line 66 to column 9 line 3].

Hasebe does not teach that a password represents encrypted identification information of the game apparatus to be licensed. Hasebe does not teach that the operation limiting information represents an upper limit of number of game playing times.

Maruyama teaches providing a game machine for a game which is terminated when a play time reaches a given time limit [column 3, lines 41-50].

Hirotani teaches using a password that represents encrypted identification information [figure 5 and accompanying description].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe so that a password would have represented encrypted identification information of the game apparatus to be licensed and encrypted license condition information thereof was transmitted to a licensee. The licensee would have inputed the password into the game apparatus to be licensed. The game apparatus to be licensed would have executed processing for decoding the inputted password. There would have been first determination processing for determining whether or not the decoded identification information and prestored identification information of the game apparatus are in a predetermined relationship. There would have been second determination processing for

determining whether or not the decoded license condition information and internal information of the game apparatus are in a predetermined relationship, and starts execution of a game program when determination results of the first and second determination processing are both affirmative. The gaming machine for a game would have been terminated when a play time reaches a given time limit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hasebe by the teaching of Hirotani because the serial number as the specific data of the computer and the password obtained from the serial number are necessary to execute a software. It is inhibited that the software is executed by a hardware other than that which is registered at the time of purchase of the software. The illegal copy of the software can be prevented in a simple hardware. Since the comparison program including the predetermined program calculating the password is decrypted, the password is never calculate even if the serial number is known [column 8, lines 30-39]. Maruyama allows the gaming machine to make more money if a user decides to extend their play of the game [column 3, lines 53-60].

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Aravind K Moorthy/
Examiner, Art Unit 2131

/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2131